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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, <div style="text-align: right;">PLAINTIFF</div>	CASE NUMBER CR 10-00567-MMM-13
v. SARA EMERT, <div style="text-align: right;">DEFENDANT.</div>	APPLICATION FOR REVIEW/RECONSIDERATION OF ORDER SETTING CONDITIONS OF RELEASE/DETENTION (18 U.S.C. §3142) AND REQUEST FOR HEARING

Application is made by ☐ plaintiff ☒ defendant SARA EMERT
that a hearing be held to review /reconsider the decision of

☐ United States District Judge _____ by order dated: _____

☒ Magistrate Judge JAY C. GANDHI by order dated: June 10, 2010

- ☒ denying release and imposing detention under subsection ☐ (d) or ☒ (e) of Title 18 U.S.C. §3142; or
☐ ordering release upon certain conditions, or
☐ denying detention.

This application is made ☒ pre-sentence ☐ post-sentence based on the following facts not previously considered by said judicial officer or changed circumstances as follows:

Additional bail resource (home) which defendant is 25% owner, is now available to secure her attendance in this case. Previously her grandmother and father offered to post unsecured bonds. Her grandmother has owned her current home for 50 years, but recently lost her equity when she traded her home for a reverse mortgage. Ms. Emert's only prior conviction is for a DUI. She successfully completed diversion on another drug possession charge.

Relief sought (*be specific*):

Sara Emert is 7 months pregnant. She has been substance abuse free for several months. Her father and grandmother have already offered to post unsecured bonds. Now her 3 siblings have offered the home as collateral. Ms. Emert has a history of drug abuse and will require drug testing and counseling as a condition of her release in addition to other conditions to reasonably assure her attendance and the safety of her child and those around her.

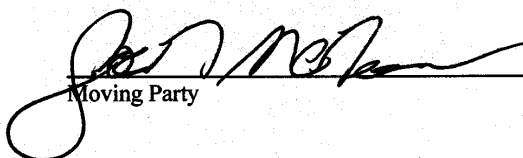
Counsel for the defendant and plaintiff United States Government consulted on June 14, 2010
and opposing counsel declines to stipulate to an order providing the relief sought.

☒ Telephonic notice given to ☒ AUSA ☐ Defendant's Counsel ☒ PSA ☐ Interpreter ☐ USM ☐ Probation
on June 15, 2010

An interpreter is ☐ required ☒ not required. Language _____
 Defendant is ☒ in custody ☐ not in custody.

June 15, 2010

Date


Moving Party